

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

YULEYKA BULA, an individual; ALYSSA CRUZ, an individual; SUENBEL REHMAN, an individual; MYALI SANCHEZ, individually and on behalf of all others similarly situated,

Plaintiff,

v.

RCI DINING SERVICES (37TH STREET), INC., dba VIVID CABARET, a New York corporation; 61 WEST 37TH STREET, LLC, a New York limited liability company; RCI HOSPITALITY HOLDINGS, INC. fka RICK'S CABARET INTERNATIONAL, INC., a Texas corporation; RCI MANAGEMENT SERVICES, a Texas corporation; ERIC LANGAN, an individualDOE MANAGERS 1-3; and DOES 4-10, inclusive.,

Defendants.

Case No. 1:22-cv-03147-LJL

**NOTICE OF MOTION TO COMPEL
ARBITRATION AND TO STAY THE
ACTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated June 20, 2022 and the Declaration of Jeffrey A. Kimmel, dated June 20, 2022, Defendants RCI Management Services ("RCI Management"); RCI Dining Services (37th Street), Inc., dba Vivid Cabaret ("Vivid Cabaret"); RCI Hospitality Holdings Inc., fka Rick's Cabaret International, Inc., ("Rick's Cabaret") (together "RCI Defendants"); Eric Langan ("Mr. Langan"); and 61 West 37th Street, LLC ("61 West 37th Street") (collectively, the "Defendants"), by and through their undersigned counsel, will move this Court on July 21, 2022, at 10:00 a.m. or soon thereafter as counsel can be heard, pursuant to the Federal Arbitration Act, 9 U.S.C. § 4 *et al.*, before the Honorable Lewis J. Liman, U.S.D.J. at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, Courtroom 15C, for an Order compelling this case

to proceed to arbitration.¹ The Entertainer License Agreements signed by Plaintiffs² contain valid and enforceable Arbitration Agreements that require arbitration of Plaintiffs' claims. Accordingly, Defendants respectfully request that the Court compel arbitration and stay this case pending arbitration.

Dated: June 22, 2022
New York, New York

Respectfully submitted,

AKERMAN LLP

By: /s/ Jeffrey A. Kimmel
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Attorney for Defendants

¹ Although this firm does not currently represent any of the DOE Defendants, we submit this motion on their behalf as well.

² Except for Plaintiff Suenbel Rehman who never performed at the Club.